

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

EJIKE EDWARD OKPA
TX-1322832-G

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DOCKETED COMPLAINT NO. 10-45²⁴⁵

AGREED FINAL ORDER

On this the _____ day of _____, 2011, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Ejike Edward Okpa, (Respondent). The Board makes the following findings of fact and conclusions of law and enters this Order:

In order to conclude this matter Ejike Edward Okpa neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent Ejike Edward Okpa is and was a state certified general real estate appraiser during all times material to this complaint.
2. Respondent is subject to the jurisdiction of the Board, the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE Chapter 1103 (Vernon 2007) (the Act), the Rules of the Board, 22 TEX. ADMIN. CODE §§153, 155, 157 (West 2007) (the Rules), and the Uniform Standards of Professional Appraisal Practice (USPAP) in effect at the time of the appraisal.
3. On or about August 15th, 2008, Respondent entered into an agreed final order with the Texas Appraiser Licensing and Certification Board in conjunction with complaint #07-018. The agreement placed Respondent on a 18-month probated suspension, required the taking of sixty (60) hours of remedial education within (12) twelve months, imposed a \$1,000.00 administrative penalty (due within 20 days of entry of the order), and required Respondent to submit quarterly experience logs and affidavits for the 18-month probation period.
4. Respondent failed to comply with the remedial education requirements of the agreement by not completing the prescribed coursework. He also failed to timely submit the administrative penalty and quarterly experience log and affidavit requirements. Ultimately, a belated log (without an affidavit) was submitted in November, 2009 and a belated administrative penalty was submitted in 2010.

5. A staff-initiated complaint was filed against Respondent for failure to comply with the terms of the agreed final order.

6. On or about May 26th, 2010 and again on September 23rd, 2010, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. Chapter 2007, notified Respondent at his address of record of the nature and accusations involved and Respondent was afforded an opportunity to respond to the accusations alleged and requested that Respondent provide certain documentation to Petitioner.

7. Despite an initial notice (sent on May 26th, 2010) and a follow up, reminder notice requesting the documentation (sent on September 23rd, 2010), Respondent failed to respond to the complaint and the requested material was never received from Respondent.

8. The parties enter into the following consent order in accordance with TEX. OCC. CODE § 1103.458.

CONCLUSIONS OF LAW


1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103.451-1103.5535.

2. Respondent has violated 22 TEX. ADMIN. CODE § 153.20(a)(21) by failing to comply with a final order of the board.

3. Respondent has violated 22 TEX. ADMIN. CODE §§ 153.20(a)(2), 153.22 and 153.24(6) by failing to respond to the complaint and provide requested documentation.

4. The parties are authorized to resolve their dispute by means of a consent order in accordance with TEX. OCC. CODE § 1103.458.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent shall:

- a. Have his certification revoked for twelve months with this revocation being fully probated under the condition that he fully comply with the terms of this Agreed Final Order;
- b. Comply with all of the provisions of the Agreed Final Order entered in complaint #07-018, including completion of all required remedial education within twelve months of the effective date of this new Agreed Final Order;
- c. Pay to the Board an administrative penalty of \$500.00; \$1,500.00 
- d. Comply with all future provisions of the Act, the Rules of the Board, and USPAP in the future or be subjected to further disciplinary action.

ALL CLASSES required by this Agreed Final Order must be classes approved by the Board and must be completed within **TWELVE MONTHS** of the date of this Order and documentation of attendance and successful completion of the educational requirements of this Order shall be delivered to the Board on or before the end of the twelve-month period indicated. None of the classes or seminars required by this Order may be taken through correspondence courses. Unless otherwise noted above, all classes must be in-class, have an exam, and Respondent must have a passing grade on the exam given in each class. None of these required classes will count toward Respondent's continuing education requirements for certification. Respondent is solely responsible for locating and scheduling classes to timely satisfy the terms of this agreement.

Payment of the **ADMINISTRATIVE PENALTY** must be by certified funds, and must be tendered within **TWENTY DAYS** of the date of this Agreed Final Order.

Failure to comply with any of the terms of this Agreed Final Order within the time allotted shall result in **IMMEDIATE REVOCATION** of the Respondent's certification pursuant to notice to the Respondent from the Board indicating that the Respondent has not fulfilled the requirements of this Agreed Final Order.

ANY SUCH REVOCATION SHALL BE EFFECTIVE WITHOUT THE NEED FOR A HEARING OR OTHER ADMINISTRATIVE DUE PROCESS UNDER THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT OR THE ADMINISTRATIVE PROCEDURE ACT, AND RESPONDENT SPECIFICALLY WAIVES ANY SUCH HEARING OR DUE PROCESS.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

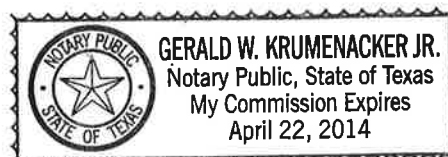
THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 24th day of January, 2011.

EJIKE EDWARD OKPA

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 24th day of January, 2011, by EJIKE EDWARD OKPA, to certify which, witness my hand and official seal.

Gerald W. Krumenacker Jr.
Notary Public Signature



Gerald W. Krumenacker Jr.
Notary Public's Printed Name

Signed by the Standards and Enforcement Services Division this 18th day of February, 2011.

Troy Beaulieu
Troy Beaulieu, TALCB Staff Attorney

Signed by the Commissioner this 18th day of February, 2011.

Douglas Oldmixon
Douglas Oldmixon, Commissioner
Texas Appraiser Licensing and Certification Board
Approved by the Board and Signed this 18th day of February, 2011.

James B. Ratliff
James B. Ratliff, Chairperson Luis De La Garza
Texas Appraiser Licensing and Certification Board